

**APPENDIX.****Committee on Engrossed Bills.**

Committee Room,  
Austin, Texas, Jan. 31, 1933.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. C. R. No. 9 carefully examined and compared and find same correctly engrossed.

REGAN, Chairman.

**Committee Reports.**

Committee Room,  
Austin, Texas, Jan. 30, 1933.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred

H. B. No. 68, A bill to be entitled "An Act repealing Chapter 81, Senate Bill No. 11, as enacted by the Fifth Called Session of the 41st Legislature as shown on page 246 et seq., of the session acts which created the 114th Judicial District Court; validating and continuing all causes, processes, writs, bonds and recognizances and making them pending, answerable and returnable and valid in the 31st and 84th Judicial District Courts respectively; and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WOODUL, Chairman.

**THIRTEENTH DAY.**

Senate Chamber,  
Austin, Texas,  
February 1, 1933.

The Senate met at 2 o'clock p. m., pursuant to adjournment, and was called to order by Lieutenant Governor Edgar E. Witt.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Hopkins.
Blackert.	Hornsby.
Collie.	Martin.
Cousins.	Moore.
DeBerry.	Murphy.
Duggan.	Neal.
Fellbaum.	Pace.
Greer.	Parr.
Holbrook.	Patton.

Poage.	Sanderford.
Purl.	Small.
Rawlings.	Stone.
Redditt.	Woodruff.
Regan.	Woodul.
Russek.	Woodward.

Absent—Excused.

Oneal.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

**Committee Reports.**

(See Appendix.)

**Bills and Resolutions.**

By Senators Purl, Rawlings, and Poage:

S. J. R. No. 11, A joint resolution Proposing an amendment to the Constitution of Texas, by amending Article 4, Section 26, changing the manner of appointment of Notaries Public.

Read and referred to Committee on Constitutional Amendments.

By Senator Greer:

S. B. No. 142, A bill to be entitled "An Act to amend Section 8, Chapter 10, Acts of the Forty-first Legislature, Second Called Session, relating to the duties of the State Board of Education pertaining to teacher's certificates; protecting rights of teachers holding certificates under existing law; repealing all laws in conflict herewith, and declaring an emergency."

Read and referred to Committee on Educational Affairs.

By Senator Parr:

S. B. No. 143, A bill to be entitled "An Act to amend Article 2938 of the Revised Civil Statutes of Texas, 1925, relating to the appointment of election judges and clerks in election precincts where there are one hundred citizens or more who have paid their poll tax or received their certificates of exemption, providing that the presiding judge appointed shall in all cases belong to the party that at the last General Election cast the largest vote for Governor throughout the State."

Read and referred to Committee on Privileges and Elections.

By Senators Stone and Woodward:

S. B. No. 144, A bill to be entitled "An Act releasing all interest and penalties on registration fees on motor vehicles for which a license fee is due on or before January 31, 1933, and extending the time for payment of same until April 1, 1933, and declaring an emergency."

Read and referred to Committee on State Highways and Motor Traffic.

By Senator Small:

S. B. No. 145, A bill to be entitled "An Act making it unlawful to connect to or tap or drill into any pipe line or other conduit through which crude oil, naphtha, gas, casinghead gas or any of the manufactured or natural products thereof is transported, and declaring such acts to be felonies, prescribing a penalty therefor, and declaring an emergency."

Read and referred to Committee on Criminal Jurisprudence.

By Senator Duggan:

S. B. No. 146, A bill to be entitled "An Act to validate the organization and creation of all school districts, including common school districts, independent school districts, consolidated common school districts, consolidated independent school districts, county line school districts, consolidated county line school districts, and rural high school districts, whether created by general or special law, or county boards of trustees, validating the acts of said county boards of trustees and boards of such districts; validating all proceedings and acts of said boards of trustees, heretofore taken by such boards of trustees; validating all bonds voted, authorized and/or sold and/or now outstanding of said districts; validating all tax levies made in behalf of said districts; making certain exceptions; and declaring an emergency."

Read and referred to Committee on Educational Affairs.

By Senators Purl, Beck, and Moore:

S. B. No. 147, A bill to be entitled "An Act to amend Articles 1103, 1105, 1106 and 1110 of the Penal Code of 1925, and declaring an emergency."

Read and referred to Committee on State Affairs.

By Senator Hopkins:

S. B. No. 148, A bill to be entitled "An Act to amend Article 1302 of the Revised Civil Statutes of the State of Texas, 1925, by adding a new section to be known as 95a to provide for the creation of corporations for the purpose of dealing in agricultural commodities, poultry, dairy products and live stock produced in the United States; enumerating the power and authority of such corporations, and declaring an emergency."

Read and referred to Committee on Civil Jurisprudence.

By Senator Hopkins:

S. B. No. 149, A bill to be entitled "An Act amending Article 3016, Revised Civil Statutes of Texas, 1925, so as to provide (in addition to present terms of said Article) that the counting judge, who reads or announces (or claims to read or announce) from a ballot the name of a candidate voted for on or by such ballot, shall personally endorse his or her name (in his or her own handwriting) on the back of such ballot before he permits such ballot to be deposited in ballot box 'No. 3' (now provided for in said Article), making the provisions of said Article as so amended apply to and regulate counting and recording of ballots in primary elections and in special and general elections and declaring an emergency."

Read and referred to Committee on Privileges and Elections.

By Senator Hopkins:

S. B. No. 150, A bill to be entitled "An Act providing that lawful rate of 'conventional interest' shall not exceed six per centum per annum and providing penalties, etc., for contracting for and/or receiving interest at a rate higher than six per centum per annum, providing that the rate of 'legal interest' shall be four per centum per annum and that the rate of interest on 'judgments' shall be four per centum per annum in certain (described) cases and six per centum per annum in other cases; all by so amending Articles 5069, 5070, 5071, 5072 and 5073, Revised Civil Statutes of Texas, 1925, respectively as to reduce respective existing rules of interest to such named rates, providing for non-repeal of said Articles or any of them in a certain event and declaring an emergency."

Read and referred to Committee on Criminal Jurisprudence.

By Senator Redditt:

S. B. No. 151, A bill to be entitled "An Act to make the civil judiciary system of the State more fully self-sustaining, by providing for the collection of certain additional fees for the filing of original petitions in all civil suits filed in the District Courts, and for the filing of appeals in the Courts of Civil Appeals, petitions for writs of error and motions for leave to file original suits in the Supreme Court—except in cases of suits for the collection of taxes and suits by the State, counties, school districts, and road districts of the State, and except in cases of habeas corpus proceedings; fixing the amount of said fees, providing for their collection and remittance to the Comptroller of the State, and their payment into the treasury of the State; prescribing certain duties with reference to these matters by the clerks of the District Courts, the clerks of the Courts of Civil Appeals and the Supreme Court, and for the Comptroller and State Treasurer; providing that in so far as parties to any litigation are concerned, for the taxation and collection of the fees herein prescribed as other court costs; providing for conditions under which a litigant may file the pleadings referred to in the Act when too poor to pay the fees, and declaring an emergency."

Read and referred to Committee on Civil Jurisprudence.

By Senator Neal:

S. B. No. 152, A bill to be entitled "An Act providing for supervisors in certain counties in lieu of teachers' institutes; prescribing the duties of said supervisors; providing for visits to schools of the county and work in cooperation with teachers; prescribing the qualifications for said supervisors; prescribing the salary of said supervisors and how it shall be paid; providing other things incidental to said purpose; providing for grouping for supervisory purposes; providing for supervision in independent districts; declaring the rule in event any provisions of the Act are unconstitutional or invalid; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Read and referred to Committee on Educational Affairs.

By Senators Regan and Martin:

S. B. No. 153, A bill to be entitled "An Act to amend Article 2547, Revised Civil Statutes of Texas, as amended by the Forty-first Legislature, at the Regular Session; and declaring an emergency."

Read and referred to Committee on State Affairs.

By Senator Redditt:

S. B. No. 154, A bill to be entitled "An Act authorizing and empowering the State Board of Education to purchase legally issued warrants and vouchers issued to teachers and other employees of the Common and Independent School Districts of Texas; providing procedure of purchase; and providing the rate of interest on said warrants or vouchers, and further providing liens to secure the payment of same."

Read and referred to Committee on Educational Affairs.

#### Senator Excused.

The following Senator was excused for the day on account of important business:

Senator Oneal on motion of Senator Small.

#### Petitions and Memorials Referred.

Certain petitions and memorials were read and referred to the Committees on State Affairs, on Criminal Jurisprudence, and on State Highways and Motor Traffic.

#### Motion to Concur.

On motion of Senator Blackert, the Senate concurred in the House amendment to S. C. R. No. 7.

#### S. C. R. No. 10.

Senator Small sent up the following resolution:

Whereas, The northern boundary line of the Panhandle of Texas, and the southern boundary line of the Panhandle of Oklahoma are in dispute, which results in constant confusion due to the fact that the States of Oklahoma and Texas are each asserting jurisdiction and attempting to exercise sovereignty over the disputed strip, which makes it impossible for the property owners to pay taxes in either State and jeopardizes the title to both real and personal property, and brings about interminable confusion in the enforcement and administration of the laws; and

Whereas, The dispute is one which should be settled by compact between the two States with the ratification of the Congress of the United States, and thereby save the useless and unnecessary expense and labor incident to adjusting and determining the true boundary line by litigation instituted in the Supremé Court of the United States; therefore be it

Resolved by the Senate of the State of Texas, the House of Representatives concurring. That a committee consisting of two members of the Senate, to be selected by the Lieutenant Governor, and three members of the House of Representatives, to be selected by the Speaker, be appointed to represent the State of Texas in bringing about the execution of a compact between the two States to settle the controversy as to the true location of the boundary line between the States of Oklahoma and Texas in this disputed area; that such boundary line be by compact definitely established; that such compact between the States be submitted to the Legislature of the State of Texas for ratification; and that said committee use its good offices to bring about the submission of such compact to the Legislature of Oklahoma and to the Congress of the United States for approval and ratification; and be it further

Resolved, That the necessary expenses incident to the execution of this compact be paid out of the contingent expense accounts of the House and Senate on vouchers signed by the members of the committee from the respective Houses.

SMALL,  
WOODWARD.

Read and on motion of Senator Small, referred to the Committee on State Affairs.

#### Senate Simple Resolution No. 32.

Senator Cousins sent up the following resolution:

Whereas, The State of Texas has a greater number of large ports than any other State in the Union, to-wit: Galveston, Houston, Freeport, Aransas Pass, Corpus Christi, Brownsville and the Sabine District, comprising the ports of Beaumont, Port Arthur and Orange; and

Whereas, During the year 1932 the ocean borne commerce entering

and leaving Texas ports was approximately forty million tons, and the value of said tonnage was of the value of approximately one and three-quarter billion (\$1,750,000,000) dollars; and

Whereas, The State of Texas contains the greatest sulphur deposits in the world, is the greatest cotton producing State in the United States; and has the greatest oil refineries in the world, and much of this tonnage moves to all parts of the world by water; and

Whereas, The State of Texas is therefore vitally interested in the growth of its ports and shipping; and

Whereas, There is a Federal agency known as the United States Shipping Board, whose duty it is to direct shipping and build up an American Merchant Marine; and

Whereas, The United States is now divided into three shipping board districts, one of which consists of the States of Texas, Louisiana, Mississippi, Alabama and Florida, and in the twelve years duration of the Shipping Board, Florida, Alabama and Louisiana have each been represented by a citizen of each State on the Board; Louisiana having had two Commissioners, one of whom was a citizen of Mississippi just prior to his appointment on the Board, and Texas has not yet had a member, although most vitally interested; and

Whereas, The law makes it imperative that one member of the Board be a resident of one of the States touching the Gulf of Mexico, and due to the failure of the United States Senate to confirm the Commissioners appointed by President Hoover, their terms may expire shortly after March 4th, and in any event the term of the Commissioner from the Gulf States will expire under the law on June 30, 1933; and

Whereas, The Honorable W. E. Lea is a resident of Orange, Texas, having lived there for twenty years and having been thoroughly identified with the building up of the Sabine ports and the commerce which has moved over those waterways, and having represented that district and other port districts in Texas before the Committee on Rivers and Harbors for the House and the Commerce Committee of the Senate in advocacy of increased shipping

facilities for the ports of his State, and being thoroughly conversant with all phases of shipping, of port development, and of the development of inland waterways; and

Whereas, Because of the facts aforesaid, Texas is desirous of being represented on said Board by a citizen of Texas who has long and earnestly worked for the upbuilding of Texas ports and shipping; now therefore be it

Resolved by the Senate of the State of Texas, That the Honorable Franklin D. Roosevelt, President-elect of the United States, be respectfully requested to consider the right of Texas to be represented on the United States Shipping Board by a citizen of Texas; and be it further

Resolved, That the Senate of the State of Texas heartily endorse the Honorable W. E. Lea of the Sabine District for this appointment, and respectfully urge the President-elect of the United States at the proper time to submit his name to the Senate for confirmation as a member of the United States Shipping Board for the Gulf District for the next term; and be it further

Resolved, That this resolution be forwarded to the Honorable Franklin D. Roosevelt, President-elect of the United States, and a copy of same be forwarded to each of the United States Senators from Texas and to each member of the United States House of Representatives from Texas.

COUSINS,	PATTON,
WOODUL,	MURPHY,
REDDITT,	NEAL,
SMALL,	SANDERFORD.
PARR,	

Read and adopted.

#### Message From the House.

Hall of the House of Representatives,  
Austin, Texas, Feb. 1, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills and resolutions:

S. C. R. No. 7, Relative to the abandonment of a certain railroad.

S. C. R. No. 8, Recommending Hon. Hal H. Sevier as an Ambassador to Chile.

H. B. No. 22, A bill to be entitled "An Act to amend Article 5238, of

Title 84, Revised Civil Statutes of the State of Texas, 1925, relating to landlords' liens and extending the lien to include all property of any sub-tenant of the tenant in such residence, storehouse or other building and all property stored with or by such tenant or sub-tenant in such residence, storehouse or other building with the owner's permission."

H. B. No. 51, A bill to be entitled "An Act providing that the Board of Pardons and Paroles, created by Chapter 45, Acts, First Called Session, Forty-first Legislature, shall hereafter sit and have their offices at Huntsville, Walker County, Texas; and declaring an emergency."

H. B. No. 175, A bill to be entitled "An Act to authorize the creation of corporations in this State under the general corporation laws for the purpose of forming and operating a general detective agency or company to do a general detective business, to employ and furnish persons to make investigations and reports, and to furnish guards or watchmen to protect industrial plants, business institutions and residential property; and declaring an emergency."

(With engrossed rider.)

H. B. No. 323, A bill to be entitled "An Act releasing all interest and penalties on registration fees on motor vehicles, for which a license fee is due on or before January 31, 1933, and extending the time of payment of same until May 1, 1933, and declaring an emergency."

H. B. No. 49, A bill to be entitled "An Act to repeal Sections 14, 15, 16, 17, 18, 19, 20, 24, and 25, of Chapter 26, Acts of the Regular Session of the Thirty-ninth Legislature of Texas, regulating the testing of automobile lights, and operation of motor vehicles, tractors, motorcycles, and bicycles in Texas, and declaring an emergency."

H. B. No. 15, A bill to be entitled "An Act amending Section 10, of Chapter 382, of the General Laws passed by the Regular Session of the Forty-second Legislature relative to the licensing of chauffeurs of trucks, and declaring an emergency."

H. B. No. 28, A bill to be entitled "An Act to amend Article 4604 of the Revised Civil Statutes of 1925, as amended by the Acts of 1929, Forty-first Legislature, Chapter 114, so as to provide that persons who desire to marry shall procure from the

county clerk a license directed to all persons authorized by law to celebrate the rites of matrimony, and that said license shall be sufficient to celebrate such marriage, etc., and declaring an emergency."

H. B. No. 38, A bill to be entitled "An Act to authorize the selection of school depositories for independent districts in certain counties regardless of the population of said districts; and declaring an emergency."

H. B. No. 298, A bill to be entitled "An Act repealing Chapter 278 of House Bill No. 539 of the Acts of the Regular Session of the Forty-second Legislature (relating to farming industry), and declaring an emergency."

Respectfully submitted,  
**LOUISE SNOW PHINNEY,**  
 Chief Clerk, House of Representatives.

#### **Senate Simple Resolution No. 33.**

Senator Woodward sent up the following resolution:

Resolved by the Senate, That beginning February 2, 1933, and continuing to February 18, 1933, the Senate will convene each day at 10 o'clock a. m., and adjourn or recess as may be ordered by the Senate at 1 o'clock p. m., the same day.

**WOODWARD.**

The resolution was read.

Senator DeBerry sent up the following amendment:

Amend the resolution by providing that the Senate shall meet from 9 to 12 instead of from 10 to 1.

**DeBERRY.**

Read and lost by the following vote:

**Yeas—10.**

Beck.	Hornsby.
DeBerry,	Murphy.
Duggan.	Poage.
Greer.	Woodruff.
Holbrook.	Woodward.

**Nays—17.**

Blackert.	Purl.
Collie.	Redditt.
Fellbaum.	Regan.
Hopkins.	Russek.
Moore.	Sanderford.
Neal.	Small.
Pace.	Stone.
Parr.	Woodul.
Patton.	

**Present—Not Voting.**

Cousins.

**Absent.**

Martin.

Rawlings.

**Absent—Excused.**

Oneal.

Senator Woodward sent up the following amendment:

Amend the resolution by changing "1 o'clock p. m." to "12 o'clock noon."

**WOODUL.**

Read and adopted.

The resolution as amended was adopted.

#### **Senate Bill No. 118 Substituted.**

Senator Moore received unanimous consent to withdraw S. B. No. 118 from the Committee on Banks and Banking in order to substitute another bill on the same subject and bearing the same number (S. B. No. 118).

#### **House Bills Referred.**

H. B. No. 175 read and referred to Committee on Towns and City Corporations.

H. B. No. 323 read and referred to Committee on Highways and Motor Traffic.

H. B. No. 298 read and referred to Committee on Agricultural Affairs.

H. B. No. 51 read and referred to Committee on State Penitentiaries.

H. B. No. 49 read and referred to Committee on State Highways and Motor Traffic.

H. B. No. 38 read and referred to Committee on Educational Affairs.

H. B. No. 28 read and referred to Committee on State Affairs.

H. B. No. 22 read and referred to Committee on Civil Jurisprudence.

H. B. No. 15 read and referred to Committee on State Highways and Motor Traffic.

#### **Personal Privilege.**

Senator Holbrook addressed the Senate on a point of personal privilege.

#### **Senate Simple Resolution No. 34.**

Senator Purl sent up the following resolution:

Resolved by the members of the Senate of Texas of the Forty-third Session, That we recognize in Senator T. J. Holbrook a useful, patriotic and efficient Senator who has served his State and District effectively and we commend him for having the courage of his convictions and, irrespective of any difference of opinion as to public questions or our views as to men in public life, that we commend him as being a faithful and fearless public servant who is serving his State and District in a most able manner.

PURL,  
WOODWARD,  
MOORE.

Read and unanimously adopted.

### H. C. R. No. 9.

The Chair laid before the Senate: H. C. R. No. 9, Relating to rules of the Forty-third Legislature.

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee substitute was read.

Senator Poage sent up the following amendment:

Amend Special Rule 2 by striking out the word and figure "sixty (60)" wherever they occur and insert in lieu thereof the words and figures "forty-five (45)."

POAGE,  
PURL,  
COLLIE.

Read and lost by the following vote:

#### Yeas—10.

Beck.	Patton.
Collie.	Poage.
DeBerry.	Purl.
Moore.	Redditt.
Murphy.	Woodul.

#### Nays—16.

Blackert.	Pace.
Duggan.	Parr.
Fellbaum.	Russek.
Greer.	Sanderford.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Woodruff.
Neal.	Woodward.

#### Absent.

Cousins.	Rawlings.
Martin.	Regan.

#### Absent—Excused.

Oneal.

Senator Purl sent up the following amendment:

Amend resolution by striking out "60" and insert in lieu thereof "30" days.

#### PURL.

The amendment was read.

Senator Woodward moved to table the amendment. The motion prevailed by the following vote:

#### Yeas—20.

Blackert.	Parr.
Cousins.	Patton.
Duggan.	Rawlings.
Fellbaum.	Regan.
Greer.	Russek.
Holbrook.	Sanderford.
Hopkins.	Small.
Hornsby.	Stone.
Neal.	Woodruff.
Pace.	Woodward.

#### Nays—9.

Beck.	Poage.
Collie.	Purl.
DeBerry.	Redditt.
Moore.	Woodul.
Murphy.	

#### Absent.

Martin.

#### Absent—Excused.

Oneal.

The committee substitute was adopted by the following vote:

#### Yeas—21.

Blackert.	Parr.
Cousins.	Patton.
Duggan.	Rawlings.
Fellbaum.	Regan.
Greer.	Russek.
Holbrook.	Sanderford.
Hopkins.	Small.
Hornsby.	Stone.
Martin.	Woodruff.
Neal.	Woodward.
Pace.	

#### Nays—9.

Beck.	Poage.
Collie.	Purl.
DeBerry.	Redditt.
Moore.	Woodul.
Murphy.	

#### Absent—Excused.

Oneal.

The resolution as substituted was lost by the following vote:

## Yeas—20.

Blackert.	Pace.
Cousins.	Parr.
Duggan.	Rawlings.
Fellbaum.	Regan.
Greer.	Russek.
Holbrook.	Sanderford.
Hopkins.	Small.
Hornsby.	Stone.
Martin.	Woodruff.
Neal.	Woodward.

## Nays—9.

Beck.	Poage.
Collie.	Purl.
DeBerry.	Redditt.
Moore.	Woodul.
Murphy.	

## Absent.

Patton.

## Absent—Excused.

Oneal.

(Four-fifths Vote Required.)

Senator Moore moved to reconsider the vote by which the resolution as substituted failed of adoption. The motion prevailed.

Senator Purl asked unanimous consent to insert "45 days" in the place of "60 days" for the period for introduction of bills.

Objection was heard.

Senator Purl asked unanimous consent to strike out the provision with reference to a joint rule fixing the number of days for the introduction of bills.

Objection was heard.

Senator Purl sent up the following amendment:

Amend by striking out Special Rule No. II.

PURL.

The amendment was read and lost by the following vote:

## Yeas—9.

Beck.	Neal.
Collie.	Poage.
DeBerry.	Purl.
Moore.	Woodul.
Murphy.	

## Nays—21.

Blackert.	Hopkins.
Cousins.	Hornsby.
Duggan.	Martin.
Fellbaum.	Pace.
Greer.	Parr.
Holbrook.	Patton.

Rawlings.	Small.
Redditt.	Stone.
Regan.	Woodruff.
Russek.	Woodward.
Sanderford.	

## Absent—Excused.

Oneal.

Senator DeBerry sent up the following amendment:

Amend Senate Substitute House Concurrent Resolution No. 9, by changing figures 45 to 44 days.

DeBERRY.

The amendment was read.

Senator Rawlings sent up the following amendment to the amendment:

Amend the amendment by DeBerry by striking out the figures 44 and inserting in lieu thereof the figures 52.

RAWLINGS.

Read and adopted by the following vote:

## Yeas—19.

Blackert.	Patton.
Cousins.	Rawlings.
Duggan.	Regan.
Fellbaum.	Russek.
Greer.	Sanderford.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Woodruff.
Moore.	Woodward.
Pace.	

## Nays—11.

Beck.	Parr.
Collie.	Poage.
DeBerry.	Purl.
Martin.	Redditt.
Murphy.	Woodul.
Neal.	

## Absent—Excused.

Oneal.

The amendment as amended was adopted.

The resolution as amended was adopted by the following vote:

## Yeas—25.

Beck.	Hopkins.
Blackert.	Hornsby.
Cousins.	Martin.
Duggan.	Moore.
Fellbaum.	Neal.
Greer.	Pace.
Holbrook.	Parr.

Patton.	Sanderford.
Poage.	Small.
Rawlings.	Stone.
Redditt.	Woodruff.
Regan.	Woodward.
Russek.	

Nays—5.

Collie.	Purl.
DeBerry.	Woodul.
Murphy.	

Absent—Excused.

Oneal.

#### Messages From the Governor.

Executive Department,  
Austin, Texas, Feb. 1, 1933.  
To the Texas State Senate:  
I ask the advice and confirmation  
of the Senate in the appointment of  
the following:

F. L. Denison of Bell County, to  
be Chairman of the State Highway  
Commission, for the six-year term,  
beginning February 15th, 1933.

R. L. Daniel of Victoria County,  
to be Life Insurance Commissioner  
upon the Board of Insurance Com-  
missioners, for the six-year term, be-  
ginning February 10th, 1933.

Jack Flynn of Harris County, to  
be Commissioner of Labor Statistics,  
for the full two year term, ending  
February 1st, 1935.

Henry P. Edwards of Dallas  
County, to be Tax Commissioner of  
the State of Texas, for the full two-  
year term, ending January 1st, 1935.

Respectfully submitted,  
MIRIAM A. FERGUSON,  
Governor.

Read and referred to the Commit-  
tee on Governor's Nominations.

Executive Department,  
Austin, Texas, Feb. 1, 1933.  
To the Texas State Senate:

At the request of Senators Regan  
and Martin, I hereby submit the at-  
tached bill, being an Act to amend  
Article 2457, Revised Civil Statutes  
of Texas, as amended by the Forty-  
first Legislature at the Regular Ses-  
sion; and declaring an emergency,  
as an emergency matter for your  
consideration.

Respectfully submitted,  
MIRIAM A. FERGUSON,  
Governor.

Read and referred to Committee  
on State Affairs (S. B. No. 153).

#### Senate Bill No. 144.

By the following vote, the consti-  
tutional rule relating to the passage  
of general bills during the first 60  
days of the session was suspended  
and consent was granted to take up  
and consider S. B. No. 144:

Yeas—29.

Beck.	Parr.
Blackert.	Patton.
Collie.	Poage.
Cousins.	Purl.
DeBerry.	Rawlings.
Duggan.	Redditt.
Fellbaum.	Regan.
Greer.	Russek.
Hopkins.	Sanderford.
Hornsby.	Small.
Martin.	Stone.
Moore.	Woodruff.
Murphy.	Woodul.
Neal.	Woodward.
Pace.	

Nays—1.

Holbrook.

Absent—Excused.

Oneal.

The Chair laid before the Senate  
the following bill:

By Senators Stone and Woodward:  
S. B. No. 144, A bill to be entitled  
"An Act releasing all interest and  
penalties on registration fees on mo-  
tor vehicles for which a license fee  
is due on or before January 31, 1933,  
and extending the time of payment  
of same until April 1, 1933, and de-  
claring an emergency."

The rule requiring committee re-  
ports to lie over one day was sus-  
pended by unanimous consent.

The committee report recommend-  
ing that the bill be not printed was  
adopted by unanimous consent.

On motion of Senator Stone, the  
constitutional rule requiring bills to  
be read on three several days was  
suspended and S. B. No. 144 was  
put on its second reading by the fol-  
lowing vote:

Yeas—30.

Beck.	Duggan.
Blackert.	Fellbaum.
Collie.	Greer.
Cousins.	Holbrook.
DeBerry.	Hopkins.

Hornsby.	Rawlings.
Martin.	Redditt.
Moore.	Regan.
Murphy.	Russek.
Neal.	Sanderford.
Pace.	Small.
Parr.	Stone.
Patton.	Woodruff.
Poage.	Woodul.
Purl.	Woodward.

Absent—Excused.

Oneal.

The bill was read second time and passed to engrossment.

On motion of Senator Stone, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 144 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Parr.
Blackert.	Patton.
Collie.	Poage.
Cousins.	Purl.
DeBerry.	Rawlings.
Duggan.	Redditt.
Fellbaum.	Regan.
Greer.	Russek.
Hopkins.	Sanderford.
Hornsby.	Small.
Martin.	Stone.
Moore.	Woodruff.
Murphy.	Woodul.
Neal.	Woodward.

Nays—2.

Holbrook. Pace.

Absent—Excused.

Oneal.

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Parr.
Blackert.	Patton.
Collie.	Poage.
Cousins.	Purl.
DeBerry.	Rawlings.
Duggan.	Redditt.
Fellbaum.	Regan.
Greer.	Russek.
Hopkins.	Sanderford.
Hornsby.	Small.
Martin.	Stone.
Moore.	Woodruff.
Murphy.	Woodul.
Neal.	Woodward.

Nays—2.

Holbrook. Pace.

Absent—Excused.

Oneal.

House Bill No. 68.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Rogers of Ochiltree:

H. B. No. 68, A bill to be entitled "An Act repealing Chapter 81, Senate Bill No. 11, as enacted by the Fifth Called Session of the Forty-first Legislature, as shown on page 246, et seq. of the Session Acts, which created the One Hundred and Fourteenth District Court; and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Small, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 68 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Pace.
Blackert.	Parr.
Collie.	Patton.
Cousins.	Poage.
DeBerry.	Purl.
Duggan.	Rawlings.
Fellbaum.	Redditt.
Greer.	Regan.
Holbrook.	Russek.
Hopkins.	Sanderford.
Hornsby.	Small.
Martin.	Stone.
Moore.	Woodruff.
Murphy.	Woodul.
Neal.	Woodward.

Absent—Excused.

Oneal.

Read third time and finally passed by the following vote:

Yeas—30.

Beck.	Duggan.
Blackert.	Fellbaum.
Collie.	Greer.
Cousins.	Holbrook.
DeBerry.	Hopkins.

Hornsby.	Rawlings.
Martin.	Redditt.
Moore.	Regan.
Murphy.	Russek.
Neal.	Sanderford.
Pace.	Small.
Parr.	Stone.
Patton.	Woodruff.
Poage.	Woodul.
Purl.	Woodward.

Absent—Excused.

Oneal.

**House Bill No. 261.**

By the following vote, the constitutional rule relating to the passage of general bills during the first 60 days of the session was suspended and consent was granted to take up and consider H. B. No. 261:

**Yeas—30.**

Beck.	Pace.
Blackert.	Parr.
Collie.	Patton.
Cousins.	Poage.
DeBerry.	Purl.
Duggan.	Rawling.
Fellbaum.	Redditt.
Greer.	Regan.
Holbrook.	Russek.
Hopkins.	Sanderford.
Hornsby.	Small.
Martin.	Stone.
Moore.	Woodruff.
Murphy.	Woodul.
Neal.	Woodward.

Absent—Excused.

Oneal.

The Chair laid before the Senate the following bill:

By Mr. Johnson of Dimmit:

H. B. No. 261, A bill to be entitled "An Act authorizing any taxpayer in any common school district or independent school district to pay any or all of such school tax prior to the payment of any other tax that may be collectible on the same roll during the period of time covered by this Act; making provision for the receipt of same by the collector in making proper record thereof and providing for the issuance of official tax receipt or certificate of redemption upon final payment; authorizing, if desired, the making of a special roll showing such school taxes segregated; providing that this Act

shall be in force only for a period of two years; repealing all laws in conflict therewith for such two-year period, and declaring an emergency."

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Neal, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 261 was put on its third reading and final passage by the following vote:

**Yeas—29.**

Beck.	Pace.
Blackert.	Parr.
Collie.	Patton.
Cousins.	Poage.
DeBerry.	Rawling.
Duggan.	Redditt.
Fellbaum.	Regan.
Greer.	Russek.
Holbrook.	Sanderford.
Hopkins.	Small.
Hornsby.	Stone.
Martin.	Woodruff.
Moore.	Woodul.
Murphy.	Woodward.
Neal.	

**Nays—1.**

Purl.

Absent—Excused.

Oneal.

Read third time and finally passed by the following vote:

**Yeas—29.**

Beck.	Pace.
Blackert.	Parr.
Collie.	Patton.
Cousins.	Poage.
DeBerry.	Rawling.
Duggan.	Redditt.
Fellbaum.	Regan.
Greer.	Russek.
Holbrook.	Sanderford.
Hopkins.	Small.
Hornsby.	Stone.
Martin.	Woodruff.
Moore.	Woodul.
Murphy.	Woodward.
Neal.	

Nays—1.

Purl.

Absent—Excused.

Oneal.

Adjournment.

On motion of Senator Woodruff, the Senate, at 5:56 o'clock p. m., adjourned until 10 o'clock tomorrow morning.

## APPENDIX.

### Committee Reports.

Committee Room,  
Austin, Texas, Feb. 1, 1933.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred S. B. No. 16,

Have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

HOLBROOK, Chairman.

Committee Room,  
Austin, Texas, Feb. 1, 1933.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred S. B. No. 32,

Have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass with committee amendment and be printed.

HOLBROOK, Chairman.

Committee Room,  
Austin, Texas, Feb. 1, 1933.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred S. B. No. 135,

Have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass with committee amendment and be printed.

HOLBROOK, Chairman.

Committee Room,  
Austin, Texas, Feb. 1, 1933.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Highways and Motor Traffic, to whom was referred

S. B. No. 144, A bill to be entitled "An Act releasing all interest and penalties on registration fees on motor vehicles for which a license fee is due on or before January 31, 1933, and extending the time of payment of same until April 1, 1933, and declaring an emergency."

Have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

RAWLINGS, Chairman.

(Floor Report.)

Senate Chamber,  
Austin, Texas, Feb. 1, 1933.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 261, A bill to be entitled "An Act authorizing any taxpayer in any common school district or independent school district to pay any or all of such school tax prior to the payment of one-half other tax that may be collectible on the same roll during the period of time covered by this Act; making provision for the receipt of same by the collector in making proper record thereof and providing for the issuance of official tax receipt or certificate of redemption upon final payment; authorizing if desired, the making of a special roll showing such school taxes segregated; provided that this Act shall be in force only for a period of two years, suspending all laws in conflict therewith for such two-year period; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

HOPKINS, Chairman,  
WOODUL,  
RUSSEK,  
COUSINS,  
MOORE,  
PARR,  
HORNSBY,  
PURL,  
SMALL.

Committee Room,  
Austin, Texas, Feb. 1, 1933.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Rules, to whom was referred H. C. R. No. 9,

Have had the same under consid-

eration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the hereto attached concurrent resolution do pass in lieu thereof.

HORNSBY, Chairman.

**S. C. S. for H. C. R. No. 9.**

(Relative to order of procedure.)

That the joint rules of the Senate and of the House appearing at pages 491 to 497 inclusive of the Texas Legislative Manual, the same being the joint rules of the two Houses as adopted for the Forty-second Legislature, be and the same are hereby adopted as the joint rules of the Senate and of the House during and for the Regular Session of the Forty-third Legislature of the State of Texas the same as if rewritten herein.

That in addition to the joint rules of the Senate and of the House as hereinabove provided, that the following additional rules be adopted by the Senate and the House as additional joint rules of the two Houses, to-wit:

Whereas, At the general election of November 4, 1930, Section 5, of Article III, of the Constitution of Texas, was amended so as to hereafter read as follows, to-wit:

"The Legislature shall meet every two years at such time as may be provided by law and at other times when convened by the Governor. When convened in Regular Session, the first thirty days thereof shall be devoted to the introduction of bills and resolutions, acting upon emergency appropriations, passing upon the confirmation of the recess appointees of the Governor and such emergency matters as may be submitted by the Governor in special messages to the Legislature; provided that during the succeeding thirty days of the Regular Session of the Legislature the various committees of each House shall hold hearings to consider all bills and resolutions and other matters then pending; and such emergency matters as may be submitted by the Governor; provided further, that during the following sixty days the Legislature shall act upon such bills and resolutions as may be then pending and upon such emergency matters as may be submitted by the Governor in special messages to the Leg-

islature; provided, however, either House may otherwise determine its order of business by an affirmative vote of four-fifths of its membership."

Whereas, Under said amendment it is specifically provided that either House may determine its order of business by an affirmative vote of four-fifths of its membership; therefore be it

Resolved by the Senate by an affirmative vote of four-fifths of its membership, the House of Representatives concurring, by an affirmative vote of four-fifths of its membership, That the order of business is hereby determined to be governed by the general rules of the respective Houses, except insofar as they do not conflict with the following special rules, which are hereby adopted.

**Rule I.**

It shall be in order to introduce bills or resolutions during the first sixty days of the session and have the same referred to a proper committee.

**Rule II.**

Local bills may be introduced at any time and considered at any time by the committee to which they have been referred and reported by said committee and considered and disposed of by the House in which said bill is pending in the due order of business as determined by the general rules of the House in which the bill is pending. A local bill is defined for the purposes of this rule as an Act the provisions of which relate to or affect directly a defined locality, district or section of the State but which does not affect directly the State at large, and the operation of which is confined to a particular locality, district or section of the State.

**Rule III.**

Local bills, emergency appropriations, acting upon the appointees of the Governor (whether recess appointments or otherwise) and all emergency matters submitted by the Governor in special messages to the Legislature may be considered and disposed of at any time by either House under the general rules and order of business.

## Rule IV.

During the first sixty days of the Regular Session, under the general rules of either House and in the due order of business, either House may take up, consider and dispose of any bill not of the nature named in the foregoing Rule IV by an affirmative vote of four-fifths of the membership voting or in accordance with the rules of the House in which said bill is pending.

## Rule V.

It shall be in order for committees to consider bills at any time during the session, their reports and the consideration by either House in accordance with the rules of the House in which said bill is pending.

## Rule VI.

When any bill shall have been acted upon finally by either branch of the Legislature, and shall have been transmitted to the other, said bill shall be, without the necessity of suspending the rule by a vote thereon, referred by the presiding officer thereof to an appropriate committee for consideration.

## Rule VII.

For and during the term of the Forty-third Legislature only, it shall be mandatory upon the Finance Committee of the Senate and the Appropriations Committee of the House and the presiding officer of each of said respective bodies to report out to each of said two Houses all general appropriation bills for the biennium ending August 31, 1935, on or before March 25, 1933; and the consideration of such bills shall be the first order of business in each House until finally acted upon.

## Rule VIII.

In the event of disagreement between the two houses relative to a bill or resolution and a conference committee is appointed and such committee arrives at an adjustment of the differences between the two Houses, such committee shall, within thirty-six hours, make a report to their respective Houses of their adjusted bill or resolution, unless such committee shall be granted a further specified time by an affirmative vote of such Houses.

## FOURTEENTH DAY.

Senate Chamber,  
Austin, Texas,  
February 2, 1933.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Edgar E. Witt.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Pace.
Blackert.	Parr.
Collie.	Patton.
Cousins.	Poage.
DeBerry.	Purl.
Duggan.	Rawling.
Fellbaum.	Regan.
Greer.	Russek.
Holbrook.	Sanderford.
Hopkins.	Small.
Hornsby.	Stone.
Martin.	Woodruff.
Moore.	Woodul.
Murphy.	Woodward.
Neal.	

Absent—Excused.

Oneal.

Redditt.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

## Committee Reports.

(See Appendix.)

## Bills and Resolutions.

By Senator Parr:

S. B. No. 155, A bill to be entitled "An Act to amend Article 7005, Chapter 7, Title 121, of the Revised Civil Statutes of Texas, 1925, as amended by Acts 1931, 42nd Legislature, page 755, Chapter 299, and as further amended by Acts of 1931, 42nd Legislature, page 852, Chapter 360, Section 1, so as to exempt said counties from the provisions of said Chapter 7, Title 121, and abolishing the office of Inspector of Hides and Animals in any and all of the said counties so exempted and declaring an emergency."

Read and referred to Committee on Stock and Stock Raising.

By Senator Woodul:

S. B. No. 156, A bill to be entitled "An Act amending Articles 610 and